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**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**(ORIGINAL CONTINUATION-IN-PART)**

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As a below named inventor, I hereby declare that attached is my continuation-in-part application.

My residence, post office address and citizenship are stated below, next to my name. I believe that I am the original first and sole inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled: "STRONG, SOFT, TEAR RESISTANT INSULATING COMPOSITIONS AND COMPOSITES FOR EXTREME COLD WEATHER USE" and the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56. In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States applications or PCT international applications designating the United States of America that are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in those prior applications in the manner provided by the first paragraph of Title 35, USC, § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37, CFR, § 1.56 that occurred between the filing date of the prior applications and the national or PCT international filing date of this application.

USSN \_\_\_\_\_ entitled: Fluffy, Strong, Solid Elastic Gels, Articles and Method Of Making Same, filed October 19, 1997 by Express Mail Post Office to Addressee mailing label No. GB980806662US.

PCT/US97 entitled: "Novel Crystal Gels Useful As Dental Floss With Improved High Tear, High Tensile, and Resistance To High Stress Rupture Properties", filed September 30, 1997; USSN 08/581,125 filed 12/29/95; 08/581,188 filed 12/29/95; 909,487 filed August 12, 1997; 581,191; 08/845,809 filed 4/29/97; 08/863,794 filed 5/27/97; 08/819,675 filed March 17, 1997; 08/719,817 filed September 30, 1996; 08/665,343 filed June 17, 1996; 612,586 filed March 8,

1996; PCT/US/94/07314 Filed June 27, 1994, PCT/US94/04278, filed 19 April 1994; Serial No. 288,690 filed August 11, 1994, Serial No. 152,734, filed November 15, 1993; Serial No. 114,688, filed August 30, 1993; Serial No. 935,540 filed August 24, 1992; Serial No. 876,118 filed April 29, 1992; Serial No. 705,096 filed May 23, 1991 which are continuation- in-part applications of 527,085 filed May 21, 1990.

### POWER OF ATTORNEY

I hereby appoint the following agent to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

JOHN Y. CHEN, Reg. No. 29,782

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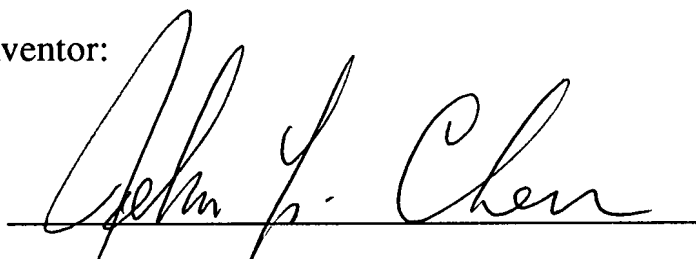
### DECLARATION

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issue thereon.

Full name of sole inventor:

JOHN Y. CHEN

Inventor's signature



Date: December 3, 1997 Country of Citizenship: United States

Residence: 1336 Oddstad Blvd., Pacifica, CA 94044

Post Office Address: 1336 Oddstad Blvd., Pacifica, Ca 94044.

Patent

Docket No. 030

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )

John Y. Chen )

Serial No.: )

Filed: December 3, 1997 )

Group Art Unit

Examiner: )

For: "STRONG, SOFT, TEAR RESISTANT INSULATING COMPOSITIONS AND COMPOSITES FOR EXTREME COLD WEATHER USE" )

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**SUBMISSION OF VERIFIED STATEMENT TO ESTABLISH  
SMALL ENTITY STATUS**

The attached statement is being submitted to establish small entity status in this application entitled: "STRONG, SOFT, TEAR RESISTANT INSULATING COMPOSITIONS AND COMPOSITES FOR EXTREME COLD WEATHER USE" by a small business concern (37 CFR 1.9(d) and 1.27(c)).

Respectfully submitted,

John Y. Chen  
Agent for Applicant  
Reg. No. 29,728  
(650) 827-1388

Applied Elastomerics, Inc.  
163 W. Harris Ave.,  
South San Francisco, CA 94080

**Certification under 37 CFR 1.10**

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on December 3, 1997 in an envelope as Express Mail Post Office to Addressee mailing label No. IB575320625USUS, addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Date: December 3, 1997

  
John Y. Chen

Patent  
Applicant John Y. Chen

Docket No. 031

Serial No.:

Filed: December 3, 1997

For: "STRONG, SOFT, TEAR RESISTANT INSULATING COMPOSITIONS AND COMPOSITES FOR EXTREME COLD WEATHER USE"

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27 (c)) -SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern: APPLIED ELASTOMERICS, INC., 163 W. Harris Ave., South San Francisco, CA 94080.

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, USC, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year or the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled: "STRONG, SOFT, TEAR RESISTANT INSULATING COMPOSITIONS AND COMPOSITES FOR EXTREME COLD WEATHER USE" by inventor John Y. Chen described in application (Docket 031), filed December 3, 1997. If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to

paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the USC, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of person signing: John Y. Chen  
Title of person: President  
Address of person signing: 163 West Harris Avenue  
South San Francisco, CA 94080

Signature  Date: December 3, 1997